

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10CV57-MU

ERIC S. GREENE, *et al.*,

Plaintiffs,

vs.

CAROLINA MOTOR CLUB, INC., *et al.*,

Defendants.

ORDER

This matter is before the court upon motion of the Defendants to dismiss Plaintiffs' disparate impact claims in their Second Amended Complaint. In its Order of November 1, 2010, the Court dismissed with prejudice "any and all 'disparate impact' claims." ( Doc. # 36 at p. 7). The court also allowed Plaintiffs to file a Second Amended Complaint but directed that the Plaintiffs do so in conformity with the court's Order of November 1, 2010, "deleting those claims and Plaintiffs that the court has dismissed herein." *Id.* at p. 8. To the extent that Plaintiffs are attempting to reassert any disparate impact claims, they are doing so contrary to the court's explicit ruling and direction in its November 1 Order.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss Plaintiffs' Disparate Impact Claims is hereby GRANTED.

Signed: May 9, 2011



Graham C. Mullen  
United States District Judge

